

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANDREA WOOD,

Plaintiff,

v.

RODNEY Ho et al.,

Defendants.

Case No. 3:24-cv-512-ART-CLB

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF U.S.  
MAGISTRATE JUDGE (ECF No. 11)

Plaintiff Andrea Wood brings this action alleging several claims against Defendants Rodney Ho, Clement Holdings, Keven Wikenberry, Sgt Investment, Contra Costa County, and Wilson Young. Judge Carla L. Baldwin has issued a Report and Recommendation (R&R), which recommends that this action be dismissed without prejudice because Plaintiff has failed to either pay the filing fee or fully complete an IFP application in compliance with the Court's orders. The Court ADOPTS in full Judge Baldwin's recommendation.

The following facts are recited in Judge Baldwin's Report and Recommendation:

On November 12, 2024, Plaintiff Andrea Wood ("Plaintiff") filed a civil rights complaint with the Court. (ECF No. 1-1.) However, Plaintiff did not submit an application to proceed in forma pauperis ("IFP"). Thus, the Court ordered Plaintiff to either submit an IFP application or pay the full filing fee by Friday, December 13, 2024. (ECF No. 3.) The Court cautioned Plaintiff that her failure to timely comply with the order would subject her case to a dismissal without prejudice. (*Id.*) On December 2, 2024, Plaintiff filed a motion for additional time, (ECF No. 4), which the Court denied and again directed Plaintiff to either pay the filing fee or file a completed IFP application by December 13, 2024. (ECF No. 5.) On December 12, 2024, Plaintiff again requested additional time, but did not

1 comply with the Court's order to either pay the filing fee or file her IFP application.  
2 (ECF No. 8.) On December 17, 2024, the Court again ordered Plaintiff to either  
3 pay the filing fee or file her IFP application, this time by December 20, 2024. (ECF  
4 No. 10.) The Court again cautioned Plaintiff that failure to timely comply with the  
5 order would result in a recommendation to dismiss the complaint without  
6 prejudice. (*Id.*) To date, Plaintiff has not complied with the Court's order.

7 Under the Federal Magistrates Act, a Court "may accept, reject, or modify,  
8 in whole or in part, the findings or recommendations made by [a] magistrate  
9 judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's  
10 report and recommendation, the court is required to "make a *de*  
11 *novo* determination of those portions of the [report and recommendation] to which  
12 objection is made." 28 U.S.C. § 636(b)(1). A court is not required to conduct "any  
13 review at all . . . of any issue that is not the subject of an objection." *Thomas v.*  
14 *Arn*, 474 U.S. 140, 149 (1985).

15 Plaintiff had until January 6, 2024 to file an objection to Judge Weksler's  
16 R&R. (See ECF No. 31.) Plaintiff has not filed an objection and the time to do so  
17 has now expired.


### 18 **Conclusion**

19 It is therefore ordered that Judge Weksler's report and recommendation  
20 (ECF No. 11) is ADOPTED in full.

21 It is further ordered that this action is DISMISSED without prejudice.

22 It is further ordered that the Clerk of Court ENTER JUDGMENT accordingly  
23 and CLOSE this case.

24 Dated this 14<sup>th</sup> day of January, 2025.

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27 ANNE R. TRAUM  
28 UNITED STATES DISTRICT JUDGE